

“said table view comprising:

- a plurality of outputs of a selected step of at least one of said sequential control modules, wherein said outputs comprise a combination of at least one automatic expression and at least one interactive instruction,
- a summary area that provides a name of said sequential control module and a list of steps in said sequential control module, wherein said selected step is selected from said list,
- a details area that provides a step name and a step description for said selected step, and
- a parameters area that provides a current value of at least one parameter associated with said selected step”.

The Examiner contends that Lipner discloses “wherein said outputs comprise a combination of at least one automatic expression and at least one interactive instruction”, citing column 2, lines 27-35, and column 4, lines 19-22 and 55-63. The column 2, lines 27-35, citation and the column 4, lines 19-22, citation refer to a “violated mode” that is entered if pertinent conditions of a current step of the “manual mode” are not satisfied. In the column 4, lines 55-63 citation, Lipner clearly discloses that screen 47 allows the operator to “ascertain...what mode the procedure is currently in, whether it is in manual or automatic control...” by viewing top line 49 that displays the mode (i.e., manual or automatic, see column 5, lines 3-5). It is clear from this teaching that there is a separate screen for each mode, whether it is manual, automatic or violated. The teaching is clear that the manual mode and the violated mode are separate modes that have separate display screens. Therefore, Lipner does not disclose or teach a table view comprising a combination automatic and violated mode, but rather teaches separate views or screens for each. Lipner’s deficiency is not supplied by van Weele, which was cited for a different purpose.

In paragraph 7 at pages 3 and 4 of the Office Action, the Examiner reads the “summary area” on Lipner’s area 49, the “details area” on Lipner’s area 65 and the “parameters area” on Lipner’s area 67. The Examiner reads the “sequential control

module” on Lipner’s procedure A. However, Lipner’s area 49 does not include a list of steps of procedure A as recited in amended independent claim 4.

Lipner at column 5, lines 62 and 63, describes area 65 as where the “current procedure step is displayed”. Lipner describes that screen 47 displays a list of steps 3-9 of procedure A. Lipner describes that step 6 in detail area 65 is the step currently up for execution. Lipner does not in any way describe that the current step 6 is selected from the list of displayed steps 3-9. Lipner merely displays steps 3-9 with the current step being in details area 65. Lipner does not describe any selection by a user of step 6 in the Fig. 3 screen.

The Examiner identifies the recited table view as Fig. 3, but does not identify what in Lipner constitutes “a plurality of outputs of a selected step of at least one of said sequential control modules”. The Examiner regards step 6 (Fig. 3) as a selected step. However, Lipner does not disclose that screen 47 displays a plurality of outputs of step 6, “wherein said outputs comprise a combination of at least one automatic expression and at least one interactive instruction”. In fact, step 6 merely instructs the user to “check conditions of operation”. This is a single manual instruction and not a plurality of outputs.

The Examiner admits that Lipner does not disclose “wherein said selected step is selected from said list”. The Examiner contends that van Weele teaches a selected step (column 7, lines 3-24) from the list (column 7, lines 41-50, i.e., Section). The Examiner concludes that it would have been obvious to modify Lipner to include a selected step is selected from the list to more efficiently control and supervise increasingly complex manufacturing processes by subdividing attributes (column 2, lines 1-4).

The Examiner’s conclusion of obviousness is erroneous because there is no suggestion or motivation to combine Lipner and van Weele. To modify Lipner with the table views and operator stations of van Weele would radically change the operation and

function of Lipner's table views and operator control of Lipner's process. See MPEP, 2143.01

Moreover, the Examiner's suggestion to Lipner and van Weele in combination is improperly based on the hindsight of Applicants' disclosure. Such hindsight reconstruction of the art cannot be the basis of a rejection under 35 U.S.C. 103. The prior art itself must suggest that modification or provide the reason or motivation for making such modification. In re Laskowski, 871 F.2d 115, 117, 10 USPQ 2d 1397, 1398-1399 (CAFC, 1989). "The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made." Sensonics Inc. v. Aerasonic Corp. 38 USPQ 2d 1551, 1554 (CAFC, 1996), citing Interconnect Planning Corp. v. Feil, 774 F. 2d 1132, 1138, 227 USPQ 543, 547 (CAFC, 1985).

The above discussion is also applicable to independent claims 11, 14 and 15, which contain substantially the same recitation as the above quoted recitation of independent claim 4. Therefore, independent claims 11, 14 and 15 are unobvious over the combination of Lipner and van Weele.

For the reasons set forth above, it is submitted that the rejection of claims 2-5 and 7-15 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 2-5 and 7-15 under 35 U.S.C 103(a) as unpatentable over Lipner in view of van Weele or, in the alternative, under 35 U.S.C 103(a) as unpatentable over Lipner in view of van Weele in further view of U.S. Patent No. 4,803,039 to Impink, Jr. et al., hereafter Impink.

The rejection of claims 2-5 and 7-15 under 35 U.S.C 103(a) as unpatentable over Lipner in view of van Weele is discussed above. The discussion of the rejection of claims 2-5 and 7-15 under 35 U.S.C 103(a) as unpatentable over Lipner in view of van Weele and further in view of Impink is discussed below.

As noted above, claims 2-5 and 7-15 the combination of Lipner and van Weele lacks motivation and lacks a table view that comprises a plurality of outputs of a selected step, “wherein said outputs comprise a combination of at least one automatic expression and at least one interactive instruction”. The Examiner admits the table view deficiency (paragraph 22) at page 14 of the Office Action. At page 15, the Examiner contends that Impink teaches a display of a combination of at least one automatic expression (column 13, lines 59-62 and column 14, lines 51-56 and 59-65) and at least one interactive instruction (column 14, lines 47-50 and 56-59). The Examiner concludes that it would have been obvious to include in the combination of Lipner and van Weele a display of a combination of at least one automatic expression and at least one interactive instruction.

The Examiner’s contention and conclusion are erroneous. Impink does not teach or disclose a table view that comprises a plurality of outputs of a selected step, “wherein said outputs comprise a combination of at least one automatic expression and at least one interactive instruction”. The column 13, lines 59-62, citation states the user need not remember “whether a parameter or component should be checked; the system does it for him”. The monitoring and storage of parameter and component status is not done by the independent function of procedure processing, but rather by the independent function of parallel information monitoring (column 6, lines 13-16). This status data of whether or not a parameter or a component has been checked is a result and not an automatic expression. Therefore, the column 13, lines 59-62, citation does not disclose or teach that Impink’s table view contains an automatic expression.

The column 14, lines 51-56 and 59-65, citation describes the function of the logger that generates a chronological record of the procedures performed and the associated conditions for later review and analysis (column 13, lines 64-67). The record can be viewed from a permanent copy generated by a printer or a tape unit (column 13, line 67 to column 14, line 2. There is no teaching that the record is displayed in Impink’s table view. The logger operates independently of Impink’s procedure processing

function (column 6, lines 13-16). Therefore, the column 13 and column 14 citations do not disclose or teach the display of an automatic expression.

The column 14, lines 47-50 and 56-59, citation also describes the chronological record generated by the logger. Impink does not disclose or teach that this record is displayed in a table view with any of the procedural steps, but rather discloses that a permanent copy of the record can be generated by a printer. Therefore, the column 14 citation does not describe the display of any of the chronological record in a table view.

The above discussion is also applicable to independent claims 11, 14 and 15, which contain substantially the same recitation as the above quoted recitation of independent claim 4. Therefore, independent claims 11, 14 and 15 are unobvious over the combination of Lipner, van Weele Impink.

For the reasons set forth above, it is submitted that the rejection of claims 2-5 and 7-15 under 35 U.S.C. 103(a) as unpatentable over the combination of Lipner, van Weele and Impink is erroneous and should be withdrawn.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 103(a) be withdrawn, that claims 2-5 and 7-15 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 4/8/08



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